

II. REMARKS

Formal Matters

Claims 1-7, 25, 26, 28, and 29 are pending after entry of the amendments set forth herein.

Claims 1-7, 9-12, and 25-29 were examined. Claims 1-7, 9-12, and 25-27 were rejected. Claims 28 and 29 were allowed.

Claim 1 is amended. The amendment to claim 1 was made solely in the interest of expediting prosecution, and is not to be construed as an acquiescence to any objection or rejection of claim 1 or any claim depending directly or indirectly from claim 1. Support for the amendment to claim 1 is found in the claims as originally filed, and throughout the specification, in particular at the following locations: pages 20-21. Accordingly, no new matter is added by this amendment.

Claims 9-12 and 27 are canceled without prejudice to renewal, without intent to acquiesce to any rejection, and without intent to surrender any subject matter encompassed by the canceled claims.

Applicants expressly reserve the right to pursue any canceled subject matter in one or more continuation and/or divisional applications.

Applicants respectfully request reconsideration of the application in view of the remarks made herein.

Allowed claims

Applicants note with gratitude that claims 28 and 29 were deemed allowable.

Rejections withdrawn

Applicants note with gratitude that the rejection, raised in the March 12, 2003 Office Action, of claims 1-7, 25, and 26 under 35 U.S.C. §112, first paragraph, has been withdrawn.

Rejection under 35 U.S.C. §112, first paragraph

Claims 9-12 and 27 were rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement.

Claims 9-12 and 27 are canceled without prejudice to renewal, thereby rendering this rejection of these claims moot.

Applicants submit that the rejection of claims 9-12 and 27 under 35 U.S.C. §112, first paragraph, has been adequately addressed in view of the remarks set forth above. The Examiner is thus respectfully requested to withdraw the rejection.

• Rejection under 35 U.S.C. §112, second paragraph

Claims 1-7, 25, and 26 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

The Office Action stated that claims 1-7, 25, and 26 were indefinite over the recitation of “correlating the presence or absence of the DNA polymorphism with a phenotypic diagnosis of bipolar mood disorder for said individual **or for said family member**.”

Without conceding as to the correctness of this rejection, claim 1 is amended to delete the phrase “or for said family member.”

Applicants submit that the rejection of claims 1-7, 25, and 26 under 35 U.S.C. §112, second paragraph, has been adequately addressed in view of the remarks set forth above. The Examiner is thus respectfully requested to withdraw the rejection.

III. CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number UCAL142CON.

Respectfully submitted,
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By: 

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